

ENTERED

September 05, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**DAVID GREG GONZALEZ,
"Plaintiff,"

v.

WILLACY COUNTY SHERIFF'S
DEPARTMENT & JAIL, et al.,
"Defendants."§
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Civil Action No. 1:21-cv-00125

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

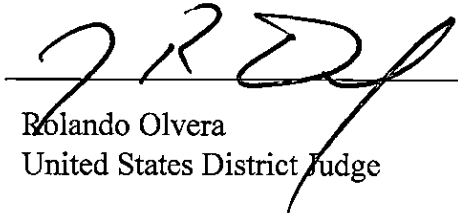
Before the Court is the "Magistrate Judge's Report and Recommendation" ("R&R") (Dkt. No. 89). The R&R recommends this Court (1) **GRANT** Defendant Joe Salazar and Dionicio Cortez' "Motion to Dismiss Pursuant to Rule 12 and Alternatively Motion for Summary Judgment" (Dkt. No. 80) and Defendant Willacy County Jail Staff, Rene Ramirez, Andres Maldonado, and Andres Davi Maldonado's "Motion to Dismiss Pursuant to Rule 12 and Alternatively Motion for Summary Judgment and Motion to Stay or Bar Discovery" (Dkt. No. 84); (3) **DISMISS with prejudice** Plaintiff's claims against all Defendants; and (4) direct the Clerk of Court to **CLOSE** this case. Dkt. No. 89 at 1.

Objections were due August 18, 2023. *See* Dkt. No. 91. No objections were filed by any party. If there have been no objections to the magistrate's ruling, then the appropriate standard of review is "clearly erroneous, abuse of discretion and contrary to law." *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). Finding no clear error, abuse of discretion, or finding contrary to law, the R&R (Dkt. No. 89) is **ADOPTED**.

Plaintiff's "Petition for Writ of Habeas Corpus" and supporting submissions (Dkt. Nos. 1, 9, 10, 22, 23, 41) are **DENIED**.¹ Plaintiff's claims against all Defendants in his Complaint (Dkt. Nos. 1, 9, 10, 22, 23, 41) are **DISMISSED with prejudice**. The Clerk of the Court is **ORDERED** to close this case.

¹ The magistrate previously construed Dkt. Nos. 1, 9, 10, 22, 23 & 41 as a jointly submitted complaint brought under 42 U.S.C. § 1983 and a petition brought under 28 U.S.C. § 2241. Dkt. No. 43 at 1.

Signed on this 5th day of September, 2023.



Rolando Olvera
United States District Judge